

REMARKS

Claims 1-22 are pending in the present application, with claim 10 being amended only to correct a typographical error. The Office Action rejected all pending claims. Applicants traverse the rejections and light of the following arguments, request that the rejections be withdrawn.

Rejection under 35 U.S.C. § 112, first paragraph

The Office Action rejected claims 1-22 as failing to comply with the written description requirement. The Office Action asserts that the limitation of the seal formed solely by the main body is not supported by the original disclosure and thus constitutes new matter. Applicants respectfully disagree. The specification, Figures 1-3 in particular, clearly discloses that seal 300 is formed solely by the main body, and no other additional materials. Withdrawal of the rejection is requested.

Rejection under 35 U.S.C. § 102(a) over U.S. Patent 2,633,270 to Young ("Young")

The Office Action also rejected claims 1-8 and 18-21 as anticipated by Young. The Action takes the position that the method of forming the seal solely by the main body is a product-by-process limitation. Applicants disagree. A product-by-process claim "is a product claim that defines the claimed product in terms of the process by which it is made" MPEP, § 2173.05(q). No process is recited in present claim 1; the seal is merely described, in part, as being formed by the main body. The requirement of claim 1 that the seal is formed solely by the main body is proper and must be given patentable weight.

Seal 31 of Young is made of components other than the body of the tube, and thus cannot meet the limitation of claim 1. As Young does not anticipate at least this claim element, Young cannot anticipate claim 1. Claims 2-8 and 18-21 depend from 1, and therefore are also allowable over the Young reference. Withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. § 102(a) over U.S. Patent 1,884,543 to Bolz ("Bolz")

The Office Action further rejected claims 1, 10-17, and 22 as anticipated by Bolz. As discussed above, the limitation of the present claims of the seal being formed solely by the main body must be considered during examination. Like Young, the seal of Bolz is formed of components other than the main body, so Bolz cannot anticipate this limitation recited in claims 1 and 10. As claims 11-17 and 22 depend from claim 10, Bolz also cannot anticipate these dependent claims. Withdrawal of the rejection is requested.

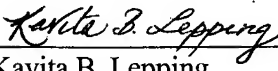
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Accordingly, Applicants request that the Examiner issue a Notice of Allowance indicating the allowability of claims 1-22 and that the application be passed to issue. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this

application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Respectfully submitted,

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Kavita B. Lepping
Registration No. 54,262
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

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